IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 1279 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RITABEN WD/O DECD. DINESHBHAI JEEBHAIBHAI PARMAR (SODHA)

Versus

VASHRAMBHAI M BHARWAD

Appearance:

1. Misc.Civil Application No. 1279 of 2001

MR HM PARIKH for Petitioners No. 1-4

DS AFF.NOT FILED (R) for Respondent No. 1

MR SHASHIKANT S GADE for Respondent No. 2

CORAM : MR.JUSTICE J.R.VORA

Date of decision: 07/12/2001

ORAL JUDGEMENT

#. This application is filed for transfer of M.A.C.P. No.1969/2000 from Motor Claims Accident Tribunal, Ahmedabad to Motor Accident Claims Tribunal, Nadiyad

under Section 24 of the Civil Procedure Code.

#. Learned advocate Mr.H.M.Parikh, for the applicant, and learned advocate Mr. Shashikant S. Gade, for opponent No.2 were heard. Opponent No.1 is served.

#. The facts in the application discloses that the applicants are residing at Vaikunthpura, Tal. Matar, Dist. Kheda. Applicant Nos.1 and 4 are women and applicant No.2 is minor and looking to the facts and circumstances of the case it will be very difficult for applicants to attend proceedings of M.A.C.P. No.1969/2000 in Ahmedabad. In this view of the matter, the application is required to be allowed and the said M.A.C.P. is required to be transferred to the Tribunal of Kheda.

#. This Misc. Civil Application is allowed. M.A.C.P. No.1969/2000 which is pending at Motor Accident Claims Tribunal at Ahmedabad is hereby ordered to be transferred to Motor Accident Claims Tribunal at Nadiyad. Motor Claims Tribunal, Ahmedabad is directed to transmit all record and proceedings of M.A.C.P. No.1969/2000 to Motor Accident Claims Tribunal, Nadiyad. Motor Claims Tribunal, Nadiyad is directed to register the said M.A.C.P. and dispose of the same accordingly to law. Rule is made absolute.

(J. R. VORA, J.)

kks